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WALKER DIGITAL
FIVE HIGH RIDGE PARK
STAMFORD, CT 06905

EXAMINER

WASYLCHAK, STEVEN R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 11/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/098,481

Applicant(s)

MIK ET AL.

Examiner

Steven R. Wasylchak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 1998.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-25, 27-29, 34-47, 50-53 are rejected under 35 U.S.C. 102(e) as being anticipated by Boyer et al (US 6,208,973).

As per claim 1,

A method for processing a charge applied to a financial account, the method comprising:

-receiving charge data; and/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

-charging a plurality of financial accounts based on the charge

data./ abstract(portions); col 3, L 39-56; col 4, L 9-13

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As per claim 2,

The method of claim 1, in which the charge data indicates a first financial account and the plurality of financial accounts includes the first financial account./ abstract; fig 7

As per claim 3,

A method for processing a charge applied to a financial account, the method comprising:

-receiving charge data that indicates a transaction amount and a first financial account;/abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-determining a second financial account that corresponds to the first financial account;/

abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-determining a reimbursement amount that corresponds to the first financial account;/

abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-applying to the first finance account a first charge amount that is based on a difference

between the transaction amount and the reimbursement amount; and/ abstract; fig

7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-applying to the second financial account a second charge amount based on

the reimbursement amount./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4,

L 24-48

As per claim 4.

The method of claim 3, further comprising:

-determining a reimbursement rule that corresponds to the charge

data; and/ fig 2(30); col 3, L 39-56 (rule: parameters and conditions; inherency

in adjudication); col 4, L 37-48

-determining if the charge data satisfies fees the reimbursement rule;/ fig

2(30); col 3, L 39-56 (rule: parameters and conditions; inherency

in adjudication); col 4, L 37-48

-and in which the step of applying to the second financial account a second charge

amount is performed if the charge data satisfies the reimbursement rule./ fig

2(30); col 3, L 39-56 (rule: parameters and conditions; inherency

in adjudication); col 4, L 37-48

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As per claim 5,

The method of claim 4, in which the reimbursement rule specifies a first merchant identifier, and in which the charge data specifies a second merchant identifier; and in which the step of determining if the charge data satisfies the reimbursement rule comprises:

-determining whether the first merchant identifier corresponds to the second merchant identifier./ col 3, L 39-64; col 4, L 37-48

As per claim 6,

The method of claim 3, in which the charge data indicates a transaction date; and further comprising:

-applying to the first financial account the second charge amount after a predetermined time after the transaction date./ col 1, L 16-41

As per claim 7,

The method of claim 6, in which the step of applying to the first financial account the second charge amount is performed if the second charge amount has not been paid before a predetermined time. / col 1, L 41-66

As per claim 8,

The method of claim 3, in which the charge data further includes a signal that indicates approval to charge at least a portion of the transaction amount to the second financial account./ col 1, L 41-66

As per claim 9,

A method for processing a charge applied to a financial account, the method comprising:

- receiving charge data that indicates a first financial account;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

- determining a second financial account that corresponds to the first financial account; and/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

- applying to the second financial account an amount based on the charge data./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 10,

The method of claim 9, further comprising:

- determining a reimbursement rule that corresponds to the charge data; and/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

- determining if the charge data satisfies the reimbursement rule;/ col 1, L 16-41; fig 2(30); col 3, L 39-56 (rule: parameters and conditions; inherency in adjudication); col 4, L 37-48;

- and in which the step of applying is performed if the charge data satisfies

the reimbursement rule./ col 1, L 16-41; fig 2(30); col 3, L 39-56 (rule:

parameters and conditions; inherency

in adjudication); col 4, L 37-48

As per claim 11,

The method of claim 10, in which the reimbursement rule specifies a first merchant identifier, and in which the charge data specifies a second merchant identifier; and in which the step of determining if the charge data satisfies the reimbursement rule comprises:

-determining whether the first merchant identifier corresponds to the second merchant identifier./ col 3, L 39-64; col 4, L 37-48

As per claim 12,

The method of claim 9, in which the charge data further includes a signal that indicates approval to charge the second financial account./ col 1, L 41-66

As per claim 13,

The method of claim 9, which the charge data indicates a transaction date; and further comprising:

-applying to the first financial account the amount based on the charge data after a predetermined time./ col 1, L 41-66

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As per claim 14,

The method of claim 13, in which the step of applying to the first financial account the amount based on the charge data is performed if the second charge amount has not been paid before a predetermined time./ col 1, L 41-66

As per claim 15,

A method for processing a charge applied to a financial account, the method comprising:

- receiving charge data that indicates a transaction amount;/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

- determining a reimbursement rule that corresponds to the charge data; and/ fig 2(30); col 3, L 39-56 (rule: parameters and conditions; inherency in adjudication); col 4, L 37-48

- apportioning the transaction amount among a plurality of financial accounts in accordance with the reimbursement rule. / fig 2(30); col 3, L 39-56 (rule: parameters and conditions; inherency in adjudication); col 4, L 37-48

As per claim 16,

The method of claim 15, in which the step of apportioning is performed if the charge data satisfies the reimbursement rule./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 17,

The method of claim 16, in which the reimbursement rule specifies a first merchant identifier, and in which the charge data specifies a second merchant identifier;/ col 3, L 39-64; col 4, L 37-48

-and in which the step of determining if the charge data satisfies the reimbursement rule comprises:

-determining whether the first merchant identifier corresponds to the second merchant identifier./ col 3, L 39-64; col 4, L 37-48

As per claim 18,

The method of claim 15, further comprising:

-determining the plurality of financial accounts from the reimbursement rule./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 19,

The method of claim 15, in which the charge data further includes a signal that indicates approval to apportion the transaction amount among the plurality of financial accounts./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 20,

A method for processing a charge applied to a financial account, the method comprising:

-receiving charge data;/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

-determining a reimbursement rule that corresponds to the charge data;/

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abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-determining if the charge data satisfies the reimbursement

rule;/ fig 2(30); col 3, L 39-56 (rule: parameters and conditions;

inherency in adjudication); col 4, L 37-48

-and charging at least one of a plurality of financial accounts in accordance

with the charge data if the charge data satisfies the reimbursement rule./ col 1, L 16-41;

fig 2(30); col 3, L 39-56 (rule: parameters and conditions; inherency in adjudication); col

4, L 37-48

As per claim 21,

The method of claim 20, in which the reimbursement rule specifies a first

merchant identifier, and in which the charge data specifies a second merchant identifier;

and in which the step of determining if the charge data satisfies the reimbursement rule

comprises:

-determining whether the first merchant identifier corresponds to the second merchant

identifier./ col 1, L 16-41; fig 2(30); col 3, L 39-56 (rule:

parameters and conditions; inherency in adjudication); col 4, L 37-48

As per claim 22,

The method of claim 20, in which the charge data includes a signal

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that indicates approval to charge the at least one of the plurality of financial accounts./

col 1, L 41-66

As per claim 23,

A method for processing a charge approved to a financial account, the method

comprising:

-receiving charge data;/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

-determining a communication address that corresponds to the charge data;/ fig 7(top);

col 1, L 41-49(inherent address to send from and to in any communication system)

-charging east one of a plurality of financial accounts in accordance with the received response./ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

As per claim 24,

The method of claim 23, in which the communication address is an electronic mail address/ col 1, L 41-49

As per claim 25,

The method of claim 23, in which the communication address is a telephone number./ col 1, L 41-49

As per claim 27,

The method of claim 23, in which the step of charging a plurality of financial accounts in accordance with the received response comprises:

-determining from the received response an amount to charge each financial account./

abstract; fig 7; col 3, L 9-38; col 4, L 9-13; abstract; fig 7(copay, 44, 46); col 4, L 24-48

As per claim 28,

The method of claim 23, in which the request for approval includes at least a portion of the charge data./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 29,

The method of claim 23, in which the request for approval includes an account alias./ fig 1(20); fig 2B(variety of id's); col 3, L 51-64; col 6, L 40-63

As per claim 34,

A method for processing a charge applied to a financial account, the method comprising:

- processing a plurality of entries, each entry including charge data that indicates a transaction amount and a first financial account;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48
- for each entry, determining if there is a second financial account that corresponds to the first financial account; and/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

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if there is a second financial account for the entry

- determining a reimbursement amount that corresponds to the first

financial account;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-

48

- applying to the first financial account a first charge amount that is based on a

difference between the transaction amount and the reimbursement

amount; and / abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

- applying to the second financial account a second charge amount based on

the reimbursement amount./ abstract; fig 7(copay, 44, 46); col 3, L 9-38;

col 4, L 24-48

As per claim 35,

A method for processing a charge applied to/a financial account, the method comprising:

- receiving charge data; and/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

- determining from the charge data a number of financial accounts to be charged in accordance with the charge data./ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

As per claim 36,

An apparatus for processing a charge applied to a financial account, comprising:

- a storage device; and/ fig 2B

- a processor connected to the storage device,/ fig 1,2

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-the storage device storing a program for controlling the processor; / fig 1,2

and the processor operative with the program to:

-receive charge data and/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

-charge a plurality of financial accounts based on the charge data./ abstract; fig

7; col 3, L 9-38; col 4, L 9-13

As per claim 37,

A computer readable medium encoded with processing instructions
for implementing a method for processing a charge applied to a financial account, the
method comprising:

-receiving charge data; and/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

-charging a plurality of financial accounts based on the charge data./ abstract(portions);
col 3, L 39-56; col 4, L 9-13

As per claim 38,

An apparatus for processing a charge applied to a financial
account, comprising:

-a storage device; and/ fig 2B

-a processor connected to the storage device,/ fig 1

-the storage device storing a program for controlling the processor; and/
fig 1, 2

the processor operative with the program to:

-receive charge data that indicates a transaction amount and

a first financial account;/ abstract; fig 7

-determine a second financial account that corresponds to the first financial

account;/ fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-determine a reimbursement amount that corresponds to the first financial account;/ fig

7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-apply to the first financial account a first charge amount that is

based on a difference between the transaction amount and reimbursement amount;

and/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-apply to the second financial account a second charge amount based on

the reimbursement amount./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 39,

A computer readable medium encoded with processing instructions for

implementing a method for processing a charge applied to a financial account,

the method comprising:

-receiving charge data that indicates a transaction amount and a financial

account;/ fig 7; col 3, L 9-38; col 4, L 9-13

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-determining a second financial account that corresponds to the first financial

account;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-determining a reimbursement amount that corresponds to the first financial

account;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-apply to the first financial account a first charge amount that is based on a difference

between the transaction amount and the reimbursement amount; and/ abstract; fig

7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-applying to the second financial account a second charge amount based on the

reimbursement amount./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 40,

An apparatus for processing a charge applied to a financial account, comprising:

- a storage device; and/ fig 2B

- a processor connected to the storage device,/ fig 1,2

- the storage device storing a program for controlling the processor; and/ fig 1,2

the processor operative with the program to:

- receive charge data that indicates a first financial account;/ abstract; fig

7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

- determine a second financial account that corresponds to the first financial

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account; and/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-apply to the second financial account an amount based on the charge data./

abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 41,

A computer readable medium encoded with processing instructions for implementing a method for processing a charge applied to a financial account, the method comprising:

-receiving charge data that indicates a first financial account;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-determining a second financial account that corresponds to the first financial account; and/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-applying to the second financial account an amount based on the charge

data./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 42,

An apparatus for processing a charge applied to a financial account, comprising:

-a storage device; and/ fig 2B

-a processor connected to the storage device; and/ fig 1,2

-the storage device storing a program for controlling the processor; and/ fig 1, 2

the processor operative with the program to:

-receive charge data that indicates a transaction amount;/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

-determine a reimbursement rule that corresponds to the charge

data; and/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-apportion the transaction amount among a plurality of financial

accounts in accordance with the reimbursement rule./ col 1, L 41-66

As per claim 43,

A computer readable medium encoded with processing instructions for implementing a method for processing a charge applied to a financial account, the method comprising:

-receiving charge data that indicates a transaction amount;/ abstract; fig 7;

col 3, L 9-38; col 4, L 9-13

determining

-a reimbursement rule that corresponds to the charge data; and/ abstract;

fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-apportioning the transaction amount among a plurality of financial accounts

in accordance with the reimbursement rule./ col 1, L 41-66

As per claim 44,

An apparatus for processing a charge applied to a financial account, comprising:

-a storage device; and/ fig 2B

a processor connected to the

-the storage device storing a program for controlling the processor; and/
fig 1,2

the processor operative with the program to:

-receive charge data;/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

-determine a reimbursement rule that corresponds to the charge data;/ abstract; fig
7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-determine if the charge data satisfies the reimbursement rule;
and / abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-charge at least one of a plurality of financial accounts in accordance with the
charge data if the charge data satisfies the reimbursement rule./ col 1, L 16-

41; fig 2(30); col 3, L 39-56 (rule: parameters

and conditions; inherency in adjudication); col 4, L 37-48

As per claim 45,

A computer readable medium encoded with processing instructions for implementing a
method for processing a charge applied to a financial account, the method comprising:

-receiving charge data;

-determining a reimbursement rule that corresponds to the charge data;/
abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-determining if the charge data satisfies the reimbursement rule; and/ abstract;
fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-charging at least one of a plurality of financial accounts in accordance with
the charge data if the charge data satisfies the reimbursement rule./ abstract; fig
7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 46,

An apparatus for processing a charge applied to a financial
account, comprising:

- a storage device; and/ fig 2B
- a processor connected to the storage device, /fig 1,2
- the storage device storing a program for controlling the processor; and/fig 1,2
- determine a communication address that corresponds to the charge data;/ col 1, L 41-49
- send a request for approval to the communication address;/ col 1, L 41-49
- receive a response to the request for approval; and/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13
- charge at least one of a plurality of financial accounts in accordance with the
received response./ col 1, L 16-41; fig 2(30); col 3, L 39-56 (rule: parameters
and conditions; inherency in adjudication); col 4, L 37-48

As per claim 47,

A computer readable medium encode with processing instructions

for implementing a method for processing a charge applied to financial account, the method comprising:

- receiving charge data;/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

- determining a communication address;/ col 1, L 41-49

- sending a request for approval to the communication address;/ col 1, L 41-49

- receiving a response to the request for approval; and/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

- charging at least one of a plurality of financial accounts in accordance with the received response./ col 1, L 16-41; fig 2(30); col 3, L 39-56 (rule: parameters and conditions; inherency in adjudication); col 4, L 37-48

As per claim 50,

An apparatus for processing a charge applied to a financial account, comprising:

- a storage device; and/ fig 2B

- a processor connected to the storage device,/ fig 1,2

- the storage device storing a program for controlling the processor;/fig 1,2

and the processor operative with the program to:

- process a plurality of entries, each entry including charge data that indicates a transaction amount and a first financial count;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

- for each entry, determine if there is a second financial account that corresponds to the first financial account; and/ abstract; fig 7(copay, 44, 46); col 3, L 9-

38; col 4, L 24-48

-if there is a second financial account for the entry
determine a reimbursement amount that corresponds to the first
financial account;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48
-apply to the first financial account a first charge account that is
based on a difference between the transaction amount and the reimbursement
amount;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48
and
-apply to the second financial account a second charge amount
based on the reimbursement amount./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col
4, L 24-48

As per claim 51,

A computer readable medium encoded with processing instructions for implementing
a method for processing a charge applied to a financial account, the method
comprising:

-processing a plurality of entries, each entry including charge data that
indicates a transaction amount and a first financial account;/ abstract; fig 7(copay, 44,
46); col 3, L 9-38; col 4, L 24-48
-for each entry, determining if there is a second financial account that corresponds
to the first financial account; and/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L
24-48

-if there is a second financial account for the entry/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-determining a reimbursement amount that corresponds to the first financial account;/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-applying to the first financial account a first charge amount that is based on a difference between the transaction amount and the reimbursement amount;
and/ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

-applying to the second financial account a second charge amount based on the reimbursement amount./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 52.

An apparatus for processing a charge applied to a financial account, comprising:

- a storage device; and/fig 2B

- a processor connected to the storage device,/fig 1,2

- the storage device storing a program for controlling the processor;/fig 1,2

the processor operative with the program to:

- receive charged,/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

- determine from the charge data a number of financial accounts to

- be charged in accordance with the charge data./ abstract; fig 7(copay, 44,

46); col 3, L 9-38; col 4, L 24-48

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As per claim 53,

A computer readable medium encoded with processing instructions for implementing a method processing a charge applied to a financial account, the method comprising:

-receiving charge data; and/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

-determining from the charge data a number of financial accounts to be charged in accordance with the charge data./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 26, 30-33, 48 and 49 rejected under 35 U.S.C. 103(a) as being unpatentable over Boyer et al. (US 6,208,973).

As per claim 26,

The method of claim 23, in which Boyer et teaches the response (abstract; fig 7(copay, 44,46); col 3, L9-38; col 4, L 9-13). The reference fails to teach the feature of

digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of convenience by ease of transferring money without a physical card.

As per claim 30,

A method for processing a charge applied to a financial account, the method comprising:

- receiving charge data that indicates a first financial account;/ fig 7; col 3, L 9-38; col 4, L 9-13

- determining a communication address at corresponds to the charge data;/ fig 7 top; col 1, L 41-49

- Boyer et al teaches sending a request for approval to the communication address (col 1, L 41-46).

The reference fails to teach the feature of a signal representing digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this

feature for the advantage of convenience by ease of transferring money without a physical card.

-Boyer et al teaches determining an amount (abstract; col 3, L 9-38). The reference fails to teach the feature of digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of convenience by ease of transferring money without a physical card.

-Boyer et al teaches charging the first financial accounts in accordance with the amount (abstract; col 1, L 41-49). The reference fails to teach the feature of amount of digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of convenience by ease of transferring money without a physical card.

As per claim 31,

The method of claim 30, in which the charge data further indicates a

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transaction amount; and in which the step of charging comprises:

-charging the first financial accounts in a

the transaction amount (abstract; fig 7(copay, 44,46); col 3, L9-38; col 4, L 9-13). The reference fails to teach the feature of amount of difference of the transaction amount and digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of convenience by ease of transferring money without a physical card and proceed with the transaction calculations.

As per claim 32,

The method of claim 30, in which the request for approval includes at least a portion of the charge data./ abstract; fig 7(copay, 44, 46); col 3, L 9-38; col 4, L 24-48

As per claim 33,

The method of claim 30, in which the request for approval includes an account alias of the first financial account./ fig 1(20); fig 2B(variety of id's); col 3, L 51-64; col 6, L 40-63

As per claim 48,

An apparatus for processing a charge applied to a financial account, comprising:

-a storage device; and/ fig 2B

-a processor connected to the storage device,/ fig 1,2

-the storage device storing a program or controlling the processor; and/ fig1,2the

processor operative with the program to:

-receive charge data that indicates a first financial account; (abstract; fig 7(copay, 44,46); col 3, L9-38; col 4, L 9-13).

-determine a communication address that corresponds to the

charge data;/ col 1, L 41-49

-send a request for approval to the communication address;/

col 1, 41-49

-Boyer et al teaches to receive a response to the request for approval (abstract; fig 7(copay, 44,46); col 3, L9-38; col 4, L 9-13).

The reference fails to teach the feature of a signal for digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this

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feature for the advantage of convenience by ease of transferring money without a physical card.

-Boyer et al teaches to determine an amount (abstract; col 3, L 9-38; col 4, L 9-13). The reference fails to teach the feature of digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of convenience by ease of transferring money without a physical card.

-Boyer et al teaches to charge the first financial accounts (abstract; fig 7(copay, 44,46); col 3, L9-38; col 4, L 9-13). The reference fails to teach the feature of digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of convenience by ease of transferring money without a physical card.

As per claim 49,

A computer readable medium encoded with processing instructions for implementing a method for processing a charge applied to a financial account, the method comprising:

-receiving charge data that indicates a first financial account;/ abstract; fig 7; col 3, L 9-38; col 4, L 9-13

-determining a communication address that corresponds to the charge data;/ fig 7(top); col 1, L 41-49

-sending a request for approval to the communication, address;/ col 1, L 41-66

-Boyer et al teaches receiving a response to the request for approval (abstract; fig 7(copay, 44,46); col 3, L9-38; col 4, L 9-13). The reference fails to teach the feature of a signal representing digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of convenience by ease of transferring money without a physical card.

-Boyer et al teaches determining an amount (abstract; fig 7(copay, 44,46); col 3, L9-38; col 4, L 9-13). The reference fails to teach the feature of digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of convenience by ease of transferring money without a

physical card.

-Boyer et al teaches charging the first financial accounts (abstract; fig 7(copay, 44,46); col 3, L9-38; col 4, L 9-13). The reference fails to teach the feature of digital money.

Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art, as smart cards and debit cards are a physical, wireless form of digital money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of convenience by ease of transferring money without a physical card.

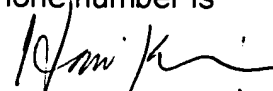
This action is NON-FINAL. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 3624 is (703) 305-7687.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Steven Wasylchak

9/18/02


HANI M. KAZIMI
PRIMARY EXAMINER